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Security Council

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6 June 2005

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Letter dated 1 June 2005 from the Permanent Representative of Rwanda to the United Nations addressed to the Chairman of the Committee

I have the honour to refer to your letter dated 20 May 2005, and to transmit herewith the report of the Government of Rwanda, submitted in accordance with paragraph 20 of resolution 1596 (2005) requesting the States concerned, especially those in the region, to report to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, within 45 days from the date of the adoption of resolution 1596 (2005), on the actions they have taken to implement measures imposed by its paragraphs 6, 10, 13 and 15 (see annex).

I would also like to take this opportunity to welcome the invitation conveyed to my Government to have a meeting with the Committee, aimed at exchanging views on the implementation of the measures imposed in resolution 1596 (2005).

(*Signed*) Stanislas **Kamanzi**
Ambassador
Permanent Representative

05-37454 (E) 100605

Annex to the letter dated 1 June 2005 from the Permanent Representative of Rwanda to the United Nations addressed to the Chairman of the Committee

REPORT OF THE GOVERNMENT OF THE REPUBLIC OF RWANDA PURSUANT TO SECURITY COUNCIL RESOLUTION 1596 (2005) OF 18th APRIL 2005

I. This report is submitted pursuant to paragraph 20 of UN Security Council resolution 1596 (2005), which requests all States concerned, in particular those in the region, to report to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, within 45 days from the date of adoption of the resolution, on the actions they have taken to implement measures imposed by paragraphs 6,10,13 and 15 of Resolution 1596 (hereinafter referred to as the resolution).

II. The measures contained in this report are part of standard Rwandan procedures established to enhance the safety and stability of Rwanda, and to deter attempts to infringe on her sovereignty and security and that of her people. The measures also contribute, in no small measure, to the stability of the region, advance the global effort to combat international terrorism, and enable Rwanda to enforce the arms embargo on the DRC.

III. While welcoming the re-establishment of the of the Group of Experts pursuant to paragraph 21 of the resolution, Rwanda reiterates her serious concerns about the methods of work of the group, and the unfair and unjustified accusations of Rwanda in its previous reports. Rwanda requests that the concerns and recommendations contained in her replies to the group's reports, shared with the committee in informal consultations with the President's Special Envoy for the Great Lakes on 1 February 2005, the letter from the Minister of Foreign Affairs and Cooperation to the Secretary-General communicated on 15 April 2005, and the letter of the Permanent Representative to the UN to the President of the Security Council, be addressed as a matter of urgency.

IV. The Rwanda Government Inter-Ministerial Committee established to follow the arms embargo in the DRC has continued its work and reports no violations of the embargo from Rwandan territory for the period beginning 1 January 2005 and ending 30 April 2005.

V. Pursuant to the measures imposed under paragraph 6 of the resolution, the Aircraft Inspectorate of the Rwanda Civil Aviation Authority continues to inspect the aircraft documents and pilot licenses in conformity to articles 29, 31 and 32 of the 1944 International Civil Aviation Chicago Convention. Two aircraft, Antonov 28 no 9XR KA and Antonov 28_no. 9XR-CM, both belonging to COMAIR, were de-registered, as per notam of 24/03/2005, for the following reasons:

- The planes carried out international flights with expired documentation
- The pilots did not carry licenses issued by the Civil Aviation Authority

VI. On 23 March 2005, pursuant to Article 3 bis of the Chicago convention, an Antonov 28 with double registration (Kyrgyzstan registration number EX-28811 and DRC registration number 9QCES) was grounded at Kigali International Airport. It was flying from Entebbe International Airport to Bukavu in Eastern DRC. In addition to the double registration, documents onboard were forged, and the flight plan was highly suspicious. Investigations on the following are still ongoing:

- All onboard documents including certificates of registration, insurance, airworthiness, and radio equipment were forged.
- Onboard documents were photocopies in contravention of ICAO rules.
- The flight plan from Entebbe showed the aircraft registered as 9QCES at take off. It landed in Kigali as EX-2881.
- The aircraft had two insurance certificates, issued by the same company, bearing the same date, and number, but different registration numbers.
- The crew members, registered as such on declaration forms established in Dubai and Entebbe, did not have certified copies of licenses, save the Captain.

VII. Furthermore, pursuant to Article 12 of the resolution, the Rwanda Civil Aviation Authority has written to all operators in the sector reminding them of their obligations under article 35 of the Chicago Convention. A copy of this letter is annexed to this report (see enclosure).

VIII. Rwanda has increased police and immigration officers at the border crossing with the DRC, pursuant to paragraph 10 of the resolution. Nine additional commissioned police officers have also been availed for this purpose. Patrols along the border have been maintained.

IX. Rwanda has not received from the Committee a list of persons the Committee believes to be in violation of article 1 of the resolution, and therefore falling under the ambit of paragraph 13 of the resolution. Nevertheless, individuals who violate Rwandan laws and regulations, including civil aviation, customs and immigration laws and regulations are handled in accordance with Rwandan legislation on these matters.

X. No funds, other financial assets and economic resources have been frozen as called for by paragraph 15 of the resolution because Rwanda is not aware of the persons designated by the Committee pursuant to paragraph 13 of the resolution. Rwanda continues to make sure the relevant services have increased capacity to deal with any obligations that may, in future, accrue under paragraph 15. These include:

- Draft laws on terrorism and money laundering are under discussion, and will be tabled before Parliament soon.
- Rwandan passports have been modernized to make them more secure and eliminate possible forgery and fraud.
- The Rwanda immigration services have new border management software (Gatekeeper) which allows the service to compare passenger passports with data held on suspects worldwide.
- The Rwanda National Police is building the capacity of its canine unit, to assist in the detections of drugs and weapons.
- The Customs Department has installed scanners, and has computerized its services making customs procedures

easier, but also enhancing capacity to detect illegal cargo coming into or going out of Rwanda.

XI. In addition to the above, the Rwanda Government has started an aggressive public awareness and sensitization campaign on small arms and light weapons in line with the Bamako and Nairobi Declarations on small arms and light weapons. Under these programmes, on 14 April 2005, Rwanda destroyed 6000 assorted firearms and ammunition, equivalent to eleven tons. A further 261 tons of assorted ammos and ammunition are scheduled for destruction.

Enclosure

Note to aircraft operators

Subject: Implementation of resolution 1596 (2005)

Sir/Madam,

I have the honour to refer to resolution 1596 (2005) adopted by the Security Council at its 5163rd meeting, on 18 April 2005, to remind you that it is strictly forbidden to transport munitions of war and/or related materiel on board your aircraft, in conformity with article 35 of the Chicago Convention.

The Civil Aviation Authority of Rwanda reserves the right to impose severe penalties against anyone who fails to abide by this prohibition.

Accept, Sir/Madam, the assurances of my most distinguished consideration.

(*Signed*) Aimable Nsengiyumva
Director General of the Civil Aviation Authority

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 2 June 2005 from the Permanent Mission of Canada to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Canada to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) and has the honour to refer to Security Council resolution 1596 (2005).

The Mission encloses herewith the first report of Canada on the measures it has taken or contemplates taking to implement paragraphs 6, 10, 13 and 15 of resolution 1596 (2005) (see annex).

05-37448 (E) 100605

Annex to the note verbale dated 2 June 2005 from the Permanent Mission of Canada to the United Nations addressed to the Chairman of the Committee

Report of Canada on the implementation of measures decided by the Security Council in resolution 1596 (2005)

Paragraph 20 of Security Council resolution 1596 (2005) of 18 April 2005 (the resolution) requests that all States concerned, in particular those in the region surrounding the Democratic Republic of the Congo, report to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo (the Committee) on the actions they have taken to implement the measures imposed by paragraphs 6, 10, 13 and 15 of resolution 1596 (2005), within 45 days of its adoption.

While measures set forth in paragraphs 6 and 10 are for implementation by the Democratic Republic of the Congo and by States in the immediate region, Canada is pleased to inform the Committee of the means taken to implement measures set forth in paragraphs 13 and 15 of resolution 1596 (2005), which are for implementation by all States.

Paragraph 13: Canada's Immigration and Refugee Protection Act enables Canada to prevent the entry into or transit through its territory of all persons to be designated by the Committee, pursuant to paragraph 13 of the resolution. As at the date of this report, no person had been designated by the Committee.

Paragraph 15: Regulatory measures are being developed, pursuant to Canada's United Nations Act, in order to freeze the funds, other financial assets and economic resources in Canada, owned or controlled directly or indirectly by persons or entities to be designated pursuant to paragraph 13 of the resolution, and to prevent the provision of funds, other financial assets and economic resources to or for the benefit of such persons or entities. As at the date of this report, no person or entity had been designated by the Committee.

Ottawa, 31 May 2005

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 2 June 2005 from the Permanent Mission of Switzerland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and has the honour to attach herewith the report submitted by Switzerland on the steps it has taken to implement the sanctions imposed by resolution 1596 (2005) (see annex).

05-37442 (E) 090605 100605

Annex to the note verbale dated 2 June 2005 from the Permanent Mission of the Switzerland to the United Nations addressed to the Chairman of the Committee

Report submitted by Switzerland pursuant to Security Council resolution 1596 (2005)

In its resolution 1596 (2005) of 18 April 2005, the United Nations Security Council requests all States concerned to report to the Security Council Committee established pursuant to resolution 1533 (2004) on the actions they have taken to implement the sanctions imposed by resolution 1596 (2005).

The Swiss authorities are currently enforcing the embargo on arms and any related materiel decided on in paragraph 20 of resolution 1493 (2003) and extended by paragraph 1 of resolution 1596 (2005) on the basis of the Federal Law on War Materiel of 13 December 1996 and the Federal Law on the Control of Goods, also of 13 December 1996, and of their respective implementing regulations.

Under the Federal Law on War Materiel, the manufacture, brokering, export and transit of war materiel are subject to authorization by the Swiss Government. Authorization is denied if the manufacture, brokering, export or transit of war material violates international law or is contrary to Switzerland's international obligations. For its part, the Federal Law on the Control of Goods is aimed at controlling dual-use and specific military goods. Permits for specific military goods are denied, for example, where the export of such goods is prohibited by the United Nations.

On the basis of the two aforementioned Laws, the Swiss Government has granted only two export permits for the above-mentioned goods in connection with the Democratic Republic of the Congo since 1998. In 2004, an export permit was granted to a Swiss national for a hunting rifle, and in 2005, another permit was issued for materiel intended for humanitarian demining, which this mission declared to the Committee on 27 April 2005, in accordance with article 2 (c) of resolution 1596 (2005).

The Swiss Government will issue a special order to implement the travel restrictions and financial sanctions covered in paragraphs 13 and 15 of resolution 1596 (2005) once the Committee has designated the persons referred to in paragraph 18 (a) of the resolution. The legal basis for this order is the Federal Law on the Implementation of International Sanctions of 2 March 2002.